

PART 1720—IMPLEMENTATION OF THE PRIVACY ACT OF 1974

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AUTHORITY: 5 U.S.C. 552a, 12 U.S.C. 4513(b).

SOURCE: 63 FR 8844, Feb. 23, 1998, unless otherwise noted.

§ 1720.1 Scope.

(a) This part 1720 sets forth the procedures by which an individual may request access to records about him/her that are maintained by the Office of Federal Housing Enterprise Oversight (OFHEO) in a designated system of records, amendment of such records, or an accounting of disclosures of such records. This part 1720 implements the provisions of the Privacy Act of 1974, as amended (Privacy Act) (5 U.S.C. 552a).

(b) A request from an individual for a record about that individual that is not contained in an OFHEO designated system of records will be considered to be a Freedom of Information Act (FOIA) (5 U.S.C. 552) request and will be processed under the FOIA.

§ 1720.2 Definitions.

For the purposes of this part 1720—

Amendment means any correction of, addition to, or deletion from a record.

Designated system of records means a system of records that OFHEO has listed and summarized in the FEDERAL REGISTER pursuant to the requirements of 5 U.S.C. 552a(e).

Individual means a natural person who is either a citizen of the United States of America or an alien lawfully admitted for permanent residence.

Maintain includes collect, use, disseminate, or control.

Privacy Act Appeals Officer means the OFHEO employee who has been delegated the authority to determine Privacy Act appeals.

Privacy Act Officer means the OFHEO employee who has been delegated the authority to determine Privacy Act requests.

Record means any item, collection, or grouping of information about an individual that is maintained by OFHEO and that contains his/her name, or the identifying number, symbol, or other identifying particular assigned to the individual.

Routine use, with respect to disclosure of a record, means the use of such record for a purpose that is compatible with the purpose for which it was created.

Statistical Record means a record in a system of records maintained only for statistical research or reporting purposes and not used, in whole or in part, in making any determination about an identifiable individual, except as provided by 13 U.S.C. 8.

System of records means a group of records under the control of OFHEO from which information is retrieved by the name of the individual or some identifying number, symbol, or other identifying particular assigned to the individual.

§ 1720.3 Requests for access to individual records.

(a) Any individual may request records about him/her that are maintained by OFHEO.

(b) The procedures for submitting requests are as follows:

(1) If the records are contained in a governmentwide system of records of the U.S. Office of Personnel Management (OPM), the request must be submitted as prescribed by the regulations of OPM (5 CFR part 297).